

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division

_____)	
EXXONMOBIL PENSION PLAN,)	
<u>et al.</u> ,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 04-687
)	
LARAINÉ M. BOOKER, <u>et al.</u> ,)	
)	
Defendants.)	
_____)	

ORDER

This matter comes before the Court on the Report and Recommendation of the Magistrate Judge. This matter is decided on a de novo review of the evidence. This Court adopts the Magistrate Judge's finding of default judgment for Plaintiffs, awarding them damages arising from Defendants' ERISA violations.

The Clerk of Court entered Entry of Default for Plaintiffs in this case on September 21, 2005, pursuant to Fed. R. Civ. P. 55(a). This Court may set aside that Entry of Default if Plaintiff can show good cause pursuant to Fed. R. Civ. P. 55(c). This Court received and reviewed Defendant Booker's letter objecting to the Report and Recommendation which was timely filed within ten days after her receipt of the report pursuant to Fed. R. Civ. P. 72. After reviewing the evidence and submissions provided by both parties, the Court adopts the Magistrate Judge's

recommendation that Plaintiffs be awarded \$14,884.15 in overpayment of pension funds, four percent of that amount in prejudgment interest(\$595.37), and \$5,318.34 in attorneys' fees and costs for a total of \$20,797.86. It is hereby

ORDERED that judgment is entered in the amount of \$20,797.86 in favor of Plaintiffs from Defendant, Laraine M. Booker.

/S/

CLAUDE M. HILTON
UNITED STATES DISTRICT JUDGE

Alexandria, Virginia
March 28, 2006